

REMARKS/ARGUMENTS

The claims are 1-9. Claim 1 has been amended to improve its form. The specification has been amended to correct a clerical error noted therein. Reconsideration is expressly requested.

Claims 1-9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite because claim 1 uses (1) both the broad recitation "ocean-going vessel" and the narrower recitation "particularly a passenger ship" and (2) the phrase "or the like". In response, Applicant has amended claim 1 to correct these informalities. It is respectfully submitted that the currently pending claims fully comply with 35 U.S.C. §112, second paragraph, and Applicant respectfully requests that the objections to the claims on this basis be withdrawn.

Claims 1-3 and 6-9 were rejected under 35 U.S.C. 102(b) as being anticipated by *Podesta U.S. Patent No. 4,158,416*. The remaining claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Podesta* in view of *Jeswine U.S. Patent No. 5,642,686*. Essentially, the Examiner's position was that *Podesta* discloses the ocean-going vessel recited in the claims

except for the use of a hull with a transverse bulkhead that closes off the hull behind a folding bow segment, which was said to be taught by *Jeswine*.

This rejection is respectfully traversed.

As set forth in claim 1, as amended, Applicant's invention provides an ocean-going vessel, whose hull as at least one overhang above the waterline, which allows the ship's length to exceed a dimension that is permissible on the basis of a location-related length restriction. For the purpose of maintaining the carrying capacity of the ocean-going vessel, the part of the overhang that makes up the excess length is configured as at least one structural unit that can be reversibly handled to be flipped away or taken away as needed. In this way, the ocean-going vessel can have a length that exceeds the permissible maximum length for the shipping route in question and therefore can have an advantageous increase in the passenger capacity in comparison with the passenger capacity of a passenger ship that adheres to the permissible ship length. This increase in passenger capacity is provided without having to restrict the number of cabins or the dimensions of cabins or other areas

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intended for passenger use, which would result in reduced luxury for the individual passenger and could result in a decreased demand and fewer trip bookings for the passenger ship in question.

The primary reference *Podesta* fails to disclose or suggest an ocean-going-vessel with an overhang in which the part of the overhang that makes up the excess length that permits the ship's length to exceed the dimension that is permissible on the basis of a location-related length restriction is configured as at least one structural unit that can be reversibly handled or flipped or taken away. *Podesta* shows an ocean-going-vessel which is built as a freight carrier for roll-on and roll-off loading. *Podesta* is very similar to well known ferryboats with a pivotable ships-bow. The bow of the ship of *Podesta* itself is pivotable, however, not for the purpose of maintaining the carrying capacity of the ship. In fact as shown in FIG. 1 and FIG. 4, visor 18 of the bow section of the vessel is not limited to at least one structural unit that makes up the excess length. Rather, the hull of the ship continues to extend where the visor is located in the closed position.

The defects and deficiencies to *Podesta* are nowhere remedied by the secondary reference to *Jeswine*. Although *Jeswine* discloses a vessel with a central hull section 16 that includes forward wall 30, there is no disclosure or suggestion of reducing the length of the ship by an overhang configured as at least one structural unit that can be reversibly handled or flipped away or taken away. Rather, *Jeswine* simply shows a collapsible boat whose lateral hull walls are retractable to reduce the width of the boat. Applicant's ocean-going-vessel as set forth in claim 1, as amended, is able to adjust the length of the vessel to permit the vessel to enter a shipping route with length restrictions such as the Panama Canal without having to use a vessels specifically designed for that passage with a low capacity and thereby less cabins for the passenger. With Applicant's ocean-going-vessel as set forth in claim 1, as amended, the vessel maintains its maximum number of cabins and is still allowed to pass through the canal because it is able to reduce its hull length, if necessary.

In summary, claim 1 has been amended as well as the specification. In view of the foregoing, it is respectfully

requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
Wilhelm PINKERNELL

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:djp

Allison C. Collard, Reg.No.22,532
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

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Fax No. 571-273-8300

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Frederick J. Dorchak